

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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|----------------------|---|------------------------------|
| BRIAN E. PORTER, |) | CASE NO. 1:18CV104 |
| |) | |
| Petitioner, |) | JUDGE JOHN R. ADAMS |
| |) | |
| -vs- |) | |
| |) | <u>MEMORANDUM OF OPINION</u> |
| Warden Brigham Sloan |) | <u>AND ORDER</u> |
| |) | |
| |) | |
| Defendant. |) | |

On March 23, 2018, the Magistrate Judge in this matter submitted an interim report and recommendation (Doc. 8) recommending that the Court grant Petitioner's motion for stay and abeyance.

Fed. R. Civ. P. 72(b) provides that the parties may object to a report and recommendation within fourteen (14) days after service. No objections have been filed in this matter. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the interim report and recommendation of the Magistrate Judge is hereby ADOPTED. Petitioner's motion for stay and abeyance (Doc. 3) is GRANTED. The matter is hereby stayed and held in abeyance. The stay is conditioned on Petitioner filing a motion to

reinstate or dismiss his petition in this Court within thirty (30) days after his state court remedies on his three unexhausted claims, including any appeals, have been exhausted.

IT IS SO ORDERED.

Dated: April 10, 2018

/s/ John R. Adams
JOHN R. ADAMS
UNITED STATES DISTRICT JUDGE